

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

KIMYEN T. NGUYEN,

Plaintiff

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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Civil Action No. 3:03-CV-0914-K

ORDER

After making an independent review of the pleadings, files and records in this case, and the Findings, Conclusions, and Recommendation of the of the United States Magistrate Judge, I am of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge are correct and are adopted as the Findings and Conclusions of the Court.

It is therefore ORDERED that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are adopted. Accordingly, *Plaintiff's Motion for Summary Judgment* is **DENIED**, *Commissioner's Motion for Summary Judgment* is **GRANTED**, and the decision of the Commissioner is wholly **AFFIRMED**.

SO ORDERED.

DATED: October 25, 2005.

s/ Ed Kinkeade
ED KINKEADE
UNITED STATES DISTRICT JUDGE